

10/548315

JC17 Rec'd PCT/PTO 07 SEP 2005

PATENT

Customer No. 22,852

Attorney Docket No. 07481.0039

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|                                   |   |                                |
|-----------------------------------|---|--------------------------------|
| In re Application of:             | ) |                                |
|                                   | ) |                                |
| Hideshi IKI et al.                | ) | Group Art Unit: Not Assigned   |
|                                   | ) |                                |
| Application No.: Not Yet Assigned | ) | Examiner: Not Assigned         |
|                                   | ) |                                |
| Filed: September 7, 2005          | ) |                                |
|                                   | ) |                                |
| For: GAS OIL FRACTION             | ) | Confirmation No.: Not Assigned |
| HYDROTREATMENT PROCESS            | ) |                                |

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicant brings to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed together with the above-referenced application.

Copies of the listed documents are attached.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

The following is a concise statement of relevance of the non-English language documents.

1. Japanese Patent Publication No. 2002-523555 corresponds to WO 00/11117. An English-language Abstract of WO 00/11117 is attached.

2. Japanese Patent Publication No. 2002-511516 corresponds to WO 99/52993. An English-language Abstract of WO 99/52993 is attached.

3. Japanese Patent Publication No. 2002-501551 corresponds to WO 98/06794. An English-language Abstract of WO 98/06794 is attached.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the Patent and Trademark Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: September 7, 2005

By: 

James W. Edmondson  
Reg. No. 33,871

|  |   |    |   |                          |                               |
|--|---|----|---|--------------------------|-------------------------------|
| IDS Form PTO/SB/08: Substitute for form 1449A/PTO<br><br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br>(Use as many sheets as necessary) |   |    |   | <b>Complete if Known</b> |                               |
|  |   |    |   | Application Number       | Not Assigned <b>30/548315</b> |
|  |   |    |   | Filing Date              | September 7, 2005             |
|  |   |    |   | First Named Inventor     | Hideshi IKI et al.            |
|  |   |    |   | Art Unit                 | Not Assigned                  |
|  |   |    |   | Examiner Name            | Not Assigned                  |
| Sheet  | 1 | of | 1 | Attorney Docket Number   | 07481.0039                    |

| U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS |                          |  |  |  |   |
|---|--------------------------|--|--|--|---|
| Examiner<br>Initials                                | Cite<br>No. <sup>1</sup> | Document Number                          | Issue or<br>Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
|   |                          | Number-Kind Code <sup>2</sup> (if known) |  |  |   |
|   |                          | US-                                      |  |  |   |
|   |                          | US-                                      |  |  |   |

**Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.**

| FOREIGN PATENT DOCUMENTS |                          |   |                                |  |  |                          |
|--------------------------|--------------------------|---|--------------------------------|--|--|--------------------------|
| Examiner<br>Initials     | Cite<br>No. <sup>1</sup> | Foreign Patent Document   | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines,<br>Where Relevant Passages<br>or Relevant Figures<br>Appear | Translation <sup>6</sup> |
|                          |                          | Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known) |                                |  |  |                          |
|                          |                          | JP 07-155610  | 06/20/95                       | Enomoto  |  | Abstract                 |
|                          |                          | JP 08-283747  | 10/29/96                       | Enomoto  |  | Abstract                 |
|                          |                          | JP 2002-178635  | 06/26/02                       | Inoue  |  | Abstract                 |
|                          |                          | WO 00/11117   | 03/02/00                       | Berlowitz  |  | Abstract                 |
|                          |                          | JP 2002-523555  | 07/30/02                       | Berlowitz  |  | Abstract                 |
|                          |                          | WO 02/21623   | 03/14/02                       | Lesieur  |  |                          |
|                          |                          | JP 64-066292  | 03/13/89                       | Minderhoud   |  | Abstract                 |
|                          |                          | WO 99/52993   | 10/21/99                       | Aussillous   |  | Abstract                 |
|                          |                          | JP 2002-511516  | 04/16/02                       | Aussillous   |  | Abstract                 |
|                          |                          | JP 10-183144  | 07/14/98                       | Morel  |  | Abstract                 |
|                          |                          | WO 98/06794   | 02/19/98                       | Bradow   |  | Abstract                 |
|                          |                          | JP 2002-501551  | 01/15/02                       | Bradow   |  | Abstract                 |

| NON PATENT LITERATURE DOCUMENTS |                          |   |                          |
|---------------------------------|--------------------------|---|--------------------------|
| Examiner<br>Initials            | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | Translation <sup>6</sup> |
|                                 |                          | International Search Report dated July 6, 2004  |                          |
|                                 |                          | J. Grootjans et al., "An Improved Process for the Production of Environmentally Friendly Diesel Fuels," <i>Hydrotreatment and hydrocracking of oil fractions</i> , Elsevier Science B.V., 1997  |                          |
|                                 |                          |   |                          |
|                                 |                          |   |                          |
|                                 |                          |   |                          |

|                       |  |                    |  |
|-----------------------|--|--------------------|--|
| Examiner<br>Signature |  | Date<br>Considered |  |
|-----------------------|--|--------------------|--|

**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.